

**ENTERED**

February 15, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

JAMES G. MILLER,

Plaintiff,

VS.

BRYAN COLLIER, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:19-CV-00398

**ORDER ADOPTING MEMORANDUM & RECOMMENDATION**

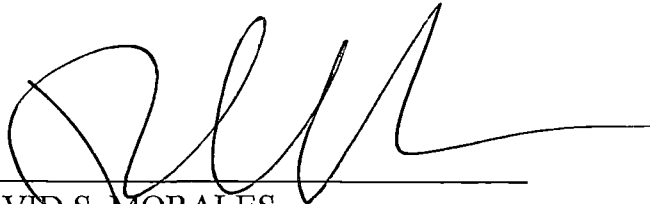
Before the Court is Magistrate Judge Julie Hampton's Memorandum and Recommendation ("M&R"). (D.E. 38). The M&R recommends that the Court deny Plaintiff's motion for reconsideration of the Court's order granting Defendants' motion for summary judgment and denying Plaintiff's request for class certification and appointment of counsel. *Id.*; (D.E. 26; D.E. 29).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R.<sup>1</sup> See 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, LP*, No. CIV. A. H-14-2700, 2015 WL 3823141, at \*1 (S.D. Tex. June 18, 2015) (Harmon, J.).

<sup>1</sup> Plaintiff's mail was returned as undeliverable. Since then, the Court has waited an appropriate amount of time for an updated address. (D.E. 39). As a party, Plaintiff is required to keep the Court apprised of his current address at all times and has failed to do so.

Having carefully reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 38). Accordingly, the Court **DENIES** Plaintiff's motion for reconsideration. (D.E. 29).

SO ORDERED.

  
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DAVID S. MORALES  
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas  
February 14<sup>th</sup>, 2022